

**REMARKS**

**Summary of the Office Action**

The title of the invention is allegedly not descriptive. A new title is required.

Claim 3 stands objected to because of informalities.

Claims 1-6 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite.

Claim 1 stands rejected under 35 U.S.C. § 102(e) as being anticipated by Sugiyama et al. (WO 03/049190) (hereinafter "Sugiyama").

Claim 1 stands rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1 and 10 of U.S. Patent No. 7,193,197.

Claims 2-6 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. § 112, second paragraph.

**Summary of the Response to the Office Action**

Applicants have amended the title in accordance with the Office Action's requirement for a new title. Applicants have amended claims 2-4 to differently describe embodiments of the disclosure of the instant application's specification and/or to improve the form of the claims. Claim 1 has been canceled without prejudice or disclaimer. Accordingly, claims 2-6 remain pending for consideration.

**Objection to the Title**

The Office Action alleges that the title of the invention is "not descriptive". Accordingly, a new title is required. In accordance with this requirement, Applicants have changed the title to

“A PHOTODETECTOR HAVING A PHOTSENSITIVE REGION AND TWO-DIMENSIONAL PIXEL ARRANGEMENT.” Withdrawal of the requirement for a new title is thus respectfully requested.

**Claim Objection**

Claim 3 stands objected to for alleged informalities. Applicants have amended claim 3 in accordance with the Examiner's comments at page 2 of the Office Action. Accordingly, Applicants respectfully request that the objection to claim 3 be withdrawn.

**Rejection under 35 U.S.C. § 112, second paragraph**

Claims 1-6 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicants have amended the claims in accordance with the Examiner's comments at pages 3-5 of the Office Action. Applicants respectfully submit that the claims, as amended, fully comply with the requirements of 35 U.S.C. § 112, second paragraph. Accordingly, Applicants respectfully request that the rejections under 35 U.S.C. § 112, second paragraph be withdrawn.

**Rejection under 35 U.S.C. § 102(e)**

Claim 1 stands rejected under 35 U.S.C. § 102(e) as being anticipated by Sugiyama. The Examiner is thanked for the indication that claims 2-6 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. § 112, second paragraph. As noted above, Applicants have addressed the rejections under 35 U.S.C. § 112, second paragraph. Also, Applicants have canceled claim 1 without prejudice or disclaimer, rendering the rejection moot. Withdrawal of

the rejection of claim 1 is thus respectfully requested. Claim 2 has been amended to include features along the lines of original claim 1. Accordingly, Applicants respectfully submit that newly-amended independent claim 2 is in condition for allowance at least in light of the Examiner's indication of allowable subject matter. For at least the foregoing reasons, independent claims 2 and 3, as well as their dependent claims 4-6, are in condition for allowance.

### **Double Patenting Rejection**

Claim 1 stands rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1 and 10 of U.S. Patent No. 7,193,197. While Applicants do not necessarily concede to this rejection, Applicants have canceled claim 1 without prejudice or disclaimer, rendering the rejection moot. Accordingly, Applicants request that the double patenting rejection be withdrawn.

### **CONCLUSION**

In view of the foregoing, Applicants submit that the pending claims are in condition for allowance, and respectfully request reconsideration and timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicants' undersigned representative to expedite prosecution. A favorable action is awaited.

**EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including

any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0573.

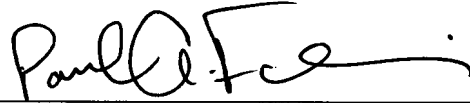
This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

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